

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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PEN AMERICAN CENTER, INC.,  
Plaintiff,

-against-

DONALD J. TRUMP, *in his official capacity as*  
*President of the United States,*  
Defendant.  
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: 18 Civ. 9433 (LGS)  
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ORDER

LORNA G. SCHOFIELD, District Judge:

WHEREAS, discovery was stayed pending the motion to dismiss. On March 24, 2020, the Court denied in part and granted in part the motion to dismiss. It is hereby


**ORDERED** that an initial pretrial conference will be held by telephone on **April 16, 2020, at 10:50 a.m.** At the appointed conference time, the parties shall dial into the conference line: (888) 363-4749, Access Code: 5456. It is further

**ORDERED** that the parties shall file a proposed Case Management Plan (“CMP”) and joint letter by at least seven days before the conference, or **April 9, 2020**. The CMP is available at <https://nysd.uscourts.gov/hon-lorna-g-schofield>. The joint letter, not to exceed 5 single-spaced pages, shall include the following information:

1. A brief statement of the nature of the case, the principal claims and defenses, and the major legal and factual issues that are most important to resolving the case, whether by trial, settlement or dispositive motion;
  2. A brief statement by plaintiff as to the basis of subject matter jurisdiction and venue, and a brief statement by each other party as to the presence or absence of subject matter jurisdiction and venue. Statements shall include citations to relevant statutes.
- In addition, in cases for which subject matter jurisdiction is founded on diversity of

- citizenship, the parties shall comply with the Court's Individual Rule IV.A.3;
3. A brief description of any (i) motions that have been made and decided, (ii) motions that any party seeks or intends to file, including the principal legal and other grounds in support of and opposition to the motion, (iii) pending motions and (iv) other applications that are expected to be made at the status conference;
  4. A brief description of any discovery that has already taken place, and any discovery that is likely to be admissible under the Federal Rules of Evidence and material to proof of claims and defenses raised in the pleadings. (This is narrower than the general scope of discovery stated in Rule 26(b)(1));
  5. A computation of each category of damages claimed, *see* Fed. R. Civ. P. 26(a)(1)(A)(iii);
  6. A statement of procedural posture and upcoming deadlines;
  7. A statement describing the status of any settlement discussions and whether the parties would like a settlement conference; and
  8. Any other information that the parties believe may assist this Court in resolving the action.

Dated: March 26, 2020  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**